



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.8578 of 2018

L.K.S.M.Abdul Kareem

... Petitioner

vs.

1. The District Collector
Collectorate Campus
Kokkirakulam
Tirunelveli, Tirunelveli District
2. The Revenue Divisional Officer
Collectorate Campus
Tirunelveli, Tirunelveli District
3. The Thasildar
Palayamkottai Taluk Office
Collectorate Campus
Tirunelveli, Tirunelveli District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to pass orders in Na.Ka.No.98/591/2016, dated 22.08.2017, based on the recommendation made by the third respondent on 28.11.2017, within a stipulated time.

For Petitioner : Mr.V.Perumal

For Respondents: Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents .

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his application dated 27.07.2017 seeking for change of Patta, has not been considered by the second respondent till date and therefore, he

has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the application made by the petitioner. It is needless to point out that whenever an application of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's application within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's application dated 27.07.2017 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Collectorate Campus,
Kokkirakulam, Tirunelveli,
Tirunelveli District.
2. The Revenue Divisional Officer,
Collectorate Campus,
Tirunelveli, Tirunelveli District.
3. The Thasildar,
Palayamkottai Taluk Office,
Collectorate Campus,
Tirunelveli, Tirunelveli District.

+ 1 cc TO Mr.V.Perumal , Advocate in SR No. 62496

krk

AE/JC/SAR1/09.05.2018/2P/5C

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